

FREDERICK COUNTY LIQUOR BOARD
Public Meeting Minutes
Monday, June 18, 2012

Those Present: Mr. James E. McClellan, Chairman
Mr. Charles R. Cline, Board Member
Mr. Richard E. Zimmerman, Board Member
Mrs. Linda B. Thall, Sr. Assistant County Attorney
Ms. Kathy L. Vahle, Administrator
Mr. Harold C. DeLauter, Alcoholic Bev. Inspector
Mrs. Sandra Rees, Administrative Specialist IV
Mrs. Penny Bussard, Administrative Specialist IV

A Public Meeting was held at 12 E. Church Street, Frederick, Maryland, and was called to order at 8:45 am by Chairman McClellan.

1. **Orioles Nest** – Ms. Vahle stated that she received a request from the Manager of this establishment to hold a private family reunion on the grassy area in the backyard of the licensed establishment. They are asking that the attendees be allowed to bring their own alcoholic beverages and keep them in the roped off area. Ms. Vahle cited the section in the regulations that the licensees are responsible for the immediate area outside their licensed establishment and parking lot and that loitering and drinking outside of an establishment is prohibited. The Board unanimously denied this request.
2. **Briefing the County Commissioners** – Ms. Vahle stated the Board of County Commissioners requested that she give them a 10 minute presentation on the types of licenses available and the process for acquiring a license. This is to educate the public on the function of the Liquor Board.
3. **Procedures for the 2010 Census** – Mrs. Thall recommended that the Board adopt a process to follow in deciding who will receive the new licenses. She suggested that there should be a public hearing so the public will have a chance to give input on the process. Mr. Zimmerman stated since there is a limited number of licenses available that the public should be aware of the process. Ms. Vahle suggested as a first option that the interested applicants submit a general information sheet by a determined deadline to include the proposed location. Each applicant would give a presentation and the Board would decide which location to proceed

with an application and after the application is submitted then a regular public hearing would be held. If the first application is denied then you could go to the next. Another option could be a lottery type application in which the applicant is given a number and the Board could randomly draw them out. A third option would be is to give an application to whoever asked for them and then whoever came in first with an application completed would be given a first chance at a hearing. The application would be completed in a timely manner. The Board was in favor of option number one, but would like to hold a public hearing for input prior to making a final decision. Ms. Vahle stated she would place a Notice in the newspaper as to when the public hearing would be.

MOTION: Mr. Zimmerman made a motion for approval of a Public Hearing.

SECOND: Mr. Cline seconded the motion.

FURTHER DISCUSSION

ON THE MOTION: There was no further discussion on the motion.

VOTE: Mr. Cline - Aye
Mr. Zimmerman - Aye
Mr. McClellan - Aye

The vote was unanimous. **Aye – 3 Nay – 0**
(Motion Passed)

4. **The Wine Corkage Bill** – Beginning on July 1, 2012 there is a new statewide law that allows a patron to bring their own wine into a licensed establishment that holds a permit issued by the Board. The Bill requires that the Board issue a permit at no cost to the licensee. It allows a person to bring in their own wine into a Class B or C establishment to be consumed with a meal. The wine cannot be available on the licensee's wine list. When the patron wants to leave, if there is anything left in the bottle they can take the wine home with them as long as an employee or licensee inserts a cork or replaces the cap on the bottle. If the patron leaves any wine at the establishment after the meal is finished, the licensee is responsible for disposing of the wine. The licensee is allowed to charge the patron a fee for the privilege of bringing this wine into the establishment. The licensee is responsible if a minor or an intoxicated person gets that alcohol as if they provided the wine from their own supply. The licensee will be responsible to the Liquor Board.

5. **Tables and Chairs Law** – Senate Bill 321 was passed that allows Class B licensees in Frederick County to remove their tables and chairs up to four times a year for Special Events. They must notify the Board at least one week before the event and they must store the tables and chairs in an appropriate location within the restaurant that does not block the exits. They are not allowed more than the maximum number of occupants allowed by the County Fire Marshal. Licensees will need to contact the Fire Marshal and the Board before each event. If the Board does not receive notice one week ahead of time the licensee cannot have the event.
6. **Comments from Connie Koenig** – Ms. Koenig stated she was concerned about the two new laws voted on by the Delegation. She inquired as to the process of how the new laws are instituted. Mr. Zimmerman stated that the Delegation does not always ask the Board for their recommendations. Ms. Vahle stated that the Corkage Bill is a State law and that the Board did voice their opinions and concerns to the Delegation.

ADJOURN

The meeting was adjourned at 9:32 am.

Respectfully submitted,

Kathy Vahle, Administrator
FREDERICK COUNTY LIQUOR BOARD

Prepared by Sandra Rees